

REMARKS

INTRODUCTION:

In accordance with the foregoing, claims 31-44 have been cancelled without prejudice or disclaimer. Claims 1-30 and 45-46 are pending and under consideration. Claims 24-30 and 39-44 are allowed. Claims 8, 9, 17-23 and 38 are objected to.

PROVISIONAL DOUBLE PATENTING REJECTION:

Insofar as the rejection is provisional, the Applicant reserves the right to file a Terminal Disclaimer or traverse the rejection upon allowance of the conflicting claims.

REJECTIONS UNDER 35 U.S.C. §102:

*Claims 1-7, 10-16, and 31-37 are rejected under 35 U.S.C. §102(e) as being anticipated by Lim.*

Using independent claim 1 as an example, this claim recites recording extended part version information in the reserved zone of the physical format information zone. In contrast, Lim discloses a physical format information region which includes book type information, disc size information, and disc structure information. Lim, FIG. 5. Disc identification information is included in the disc structure information. Lim, column 4, lines 30-32. Thus, the disc structure information is not recorded in a reserved zone of the physical format information region. Although FIG. 5 of this reference discloses a reserved region, this reserved region is a part of the control data zone, and is not a part of the physical format information region.

Claim 2 depends from independent claim 1, and recites that the recording of the extended part version information further comprises recording a detailed extended part version. According to the Examiner, Lim discloses recording disc side information at bit b7, and therefore anticipates claim 2. However, it is respectfully submitted that the extended part version information is patentably distinguishable from the disc side information. Specifically, the disc side information disclosed in Lim simply indicates whether the disc is single side (0) or double side (1). Lim, FIG. 5. However, the disc side information does not indicate the version of the disc.

Claim 5 depends from claim 4, and recites recording an integer part and a first decimal

place in the reserved zone. According to the Examiner, when a digit is recorded at bit b7, and a digit is recorded at bit b6, this corresponds to recording an integer part and a first decimal place. However, the recording at bit b7 does not correspond to part version information. Furthermore, there is no disclosure that bits b0 to b6 are used to record part version information. Instead, Lim simply discloses that disc structure information includes eight bits of data b0 to b7. However, this reference only discusses the content of bit b7, and does not discuss the content of bits b0 to b6 with any specificity. See Lim, column 4, lines 28-47.

Independent claim 46 recites said part version is recorded on said recording medium having an updated specification. As discussed above, Lim does not disclose recording a part version, but instead, discloses indicating whether a disc is one or two sided at bit b7.

The rejection of claims 31-37 is moot.

Accordingly, withdrawal of the rejection is requested.

*Claims 1-7, 10-16, 31-37, 45 and 46 are rejected under 35 U.S.C. §102(b) as being anticipated by Takahashi.*

Using independent claim 1 as an example, this claim recites recording extended part version information in the reserved zone of the physical format information zone. FIG. 15 of Takahashi shows the configuration of physical format information. The physical format information includes reserved contents at bit positions 17-31, 33-47, and 480-2047, and book type and part information is at bit position 0. Thus, this reference does not disclose recording part version information in a reserved zone of the physical format information zone.

Although FIG. 16 of this reference states “others: reserved”, this is not in reference to reserving areas of space. Instead, it refers to the format to indicate the data. For example, 0001b indicates version 1.0, whereas “others” such as 0000b are reserved to indicate other versions. However, these versions are all indicated in the same space.

Claim 3 recites recording a latest part version having recording compatibility with a recording/reproducing apparatus of a given specification level. The Examiner relies upon FIG. 16 of Takahashi, which discloses that 0001b is version 1.0, whereas others are “reserved.” However, there is no indication that these “others” have recording compatibility with a recording/reproducing apparatus of a given specification level. In fact, the compatibility information is not discussed whatsoever.

Claim 4 depends from claim 1, and recites recording a latest part version having

reproducing compatibility with the recording/reproducing apparatus. As discussed above with respect to claim 3, the "others: reserved" of Takahashi does not refer to compatibility, but simply refers to other version information which does not include compatibility information.

Independent claim 46 recites said recording medium further comprising a latest part version which maintains reproducing compatibility with said recording/reproducing apparatus. As discussed above, reproducing compatibility is not disclosed in Takahashi. Accordingly, withdrawal of the rejection is requested.

The rejection of claims 31-37 is moot.

**CONCLUSION:**

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

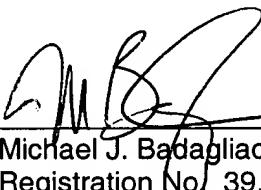
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this response, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 8-24-04

By:   
Michael J. Badagliacca  
Registration No. 39,099

1201 New York Avenue, NW, Suite 700  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501